

Message Text

UNCLASSIFIED

PAGE 01 USUN N 05800 01 OF 02 080814Z

11

ACTION IO-10

INFO OCT-01 ARA-10 EUR-12 ISO-00 DHA-02 CIAE-00 DODE-00

PM-04 H-02 INR-07 L-03 NSAE-00 NSC-05 PA-02 PRS-01

SP-02 SS-15 USIA-15 /091 W
----- 059693

R 080342Z NOV 75

FM USMISSION USUN NY

TO SECSTATE WASHDC 3811

INFO AMCONSUL BELIZE

AMEMBASSY LONDON

AMEMBASSY GUATEMALA

AMEMBASSY MEXICO

UNCLAS SECTION 1 OF 2 USUN 5800

E.O. 11652: N/A

TAGS: PFOR, UNGA, GT, BH, UK

SUBJ: BELIZE DISPUTE: LETTER FROM GUATEMALAN PERMANENT
REPRESENTATIVE TO UN SECRETARY GENERAL

FOLLOWING IS THE TEXT OF A LETTER DATED NOVEMBER 6 FROM
GUATEMALAN PERMREP MALDONADO-AGUIRRE TO UN SECRETARY
GENERAL. LETTER WAS CIRCULATED AS UN DOCUMENT A/C.4/796.
GUATEMALAN PERMREP'S NOTE VERBALE OF NOVEMBER 5 IS ANNEXED
TO LETTER.

ON INSTRUCTIONS FROM MY GOVERNMENT, I HAVE THE HONOUR TO
TRANSMIT TO YOU WITH THIS LETTER A NOTE VERBALE ADDRESSED
TO YOU CONTAINING SOME OF MY GOVERNMENT'S FUNDAMENTAL OBSERVATIONS
ON THE SITUATION IN THE TERRITORY OF BELIZE.

IT WILL BE OBSERVED FROM THIS NOTE THAT MY GOVERNMENT BELIEVES
THAT THE QUESTION OF BELIZE IS WITHIN THE COMPETENCE OF NEITHER
THE FOURTH COMMITTEE NOR THE GENERAL ASSEMBLY IN SO FAR
AS THE POSSIBLE ADOPTION OF A RESOLUTION OR
RECOMMENDATION ON DECOLONIZATION IS CONCERNED, BECAUSE
THAT WOULD VIOLATE THE UNITED NATIONS CHARTER,
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 USUN N 05800 01 OF 02 080814Z

RESOLUTION 1514 (XV) OF 14 DECEMBER 1960 AND RESOLUTION

2625 (XXV) OF 24 OCTOBER 1970, AMONG OTHERS. OVER GUATEMALA'S RESERVATION AND PROTEST, REPORTS AND DOCUMENTS HAVE BEEN SUBMITTED TO THE FOURTH COMMITTEE CONCERNING BELIZE, WHICH FORMS PART OF THE TERRITORIAL INTEGRITY AND NATIONAL UNITY OF THE REPUBLIC OF GUATEMALA.

I REQUEST THE SECRETARY-GENERAL TO HAVE THE ATTACHED COMMUNICATION DISTRIBUTED AS AN OFFICIAL DOCUMENT OF THE GENERAL ASSEMBLY AND TO TAKE NOTE, FOR THE APPROPRIATE PURPOSES, THAT MY GOVERNMENT FORMALLY EXPRESSES ITS RESERVATIONS ABOUT THE COMPETENCE OF THE GENERAL ASSEMBLY AND THE FOURTH COMMITTEE TO CONSIDER THE SUBJECT OR TO SEEK TO RESOLVE POLITICALLY A COMPLEX LEGAL PROBLEM, WHICH SHOULD BE SETTLED BETWEEN THE PARTIES BY THE PEACEFUL MEANS LAID DOWN IN THE UNITED NATIONS CHARTER.

(SIGNED) ALEJANDRO MALDONADO-AGUIRRE
PERMANENT REPRESENTATIVE

ANNEX

NOTE VERBALE DATED 5 NOVEMBER 1975 FROM THE REPRESENTATIVE OF GUATEMALA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

THE PERMANENT REPRESENTATIVE OF GUATEMALA TO THE UNITED NATIONS PRESENTS HIS COMPLIMENTS TO THE SECRETARY-GENERAL AND HAS THE HONOUR TO REFER TO THE REPORT OF THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES AND IN PARTICULAR TO THE INFORMATION WHICH, IN ACCORDANCE WITH ARTICLE 73 (E) OF THE CHARTER OF THE UNITED NATIONS, HAS BEEN SUPPLIED TO THE COMMITTEE ON THE TERRITORY OF BELIZE DESPITE THE REPEATED FORMAL RESERVATIONS OF MY GOVERNMENT, SINCE BELIZE HAS NEVER BEEN A COLONY BUT IS A TERRITORY ILLEGALLY OCCUPIED BY THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND ON THE BASIS OF NO RIGHT OTHER THAN THE PRECARIOUS RIGHT OF USUFRUCT LIMITED TO THE CUTTING OF TIMBER IN A SMALL AREA, WHICH, HOWEVER, WAS UNCLASSIFIED

UNCLASSIFIED

PAGE 03 USUN N 05800 01 OF 02 080814Z

SUBSEQUENTLY EXTENDED ILLEGALLY TO AREAS THAT AFFECT THE NATIONAL TERRITORIAL, GEOGRAPHICAL AND ECONOMIC INTEGRITY OF GUATEMALA AND CENTRAL AMERICA.

THE GOVERNMENT OF GUATEMALA HAS SOUGHT REPEATEDLY FOR MANY YEARS AND CONTINUES TO SEEK THE PEACEFUL SETTLEMENT OF THIS DISPUTE WITH THE UNITED KINGDOM BY VARIOUS MEANS AND, THIS YEAR, THROUGH DIRECT NEGOTIATION. PARAGRAPH 23 OF

THE WORKING PAPER PREPARED BY THE SECRETARIAT FOR THIS SESSION, CONTAINED IN DOCUMENT A/10023/ADD.8 (PART III), MAKES THE FOLLOWING EXPLICIT REFERENCE TO THOSE NEGOTIATIONS:

"23. ON 21 FEBRUARY 1975 THE FOLLOWING JOINT COMMUNIQUE WAS ISSUED BY THE MINISTRIES FOR FOREIGN AFFAIRS OF GUATEMALA AND THE UNITED KINGDOM:

"THE UNITED KINGDOM AND GUATEMALA HAVE AGREED TO RESUME DISCUSSION ON THE QUESTION OF BELIZE. EXPLORATORY TALKS WERE HELD THIS WEEK IN NEW YORK BETWEEN THE DELEGATIONS OF BOTH COUNTRIES. THE TWO SIDES AGREED TO MAINTAIN CONTACT ON THIS QUESTION."

THE MINISTRY OF FOREIGN AFFAIRS OF GUATEMALA DECLARED ON 28 FEBRUARY 1975 THAT IT HAD PARTICIPATED IN THOSE NEGOTIATIONS WITH THE INTENTION OF FINDING A SPEEDY, PEACEFUL AND CONSTRUCTIVE SOLUTION TO THE PROBLEM, WHICH WAS NO LONGER A MERE TERRITORIAL DISPUTE BETWEEN THE UNITED KINGDOM AND GUATEMALA AND THAT CONSEQUENTLY FORMULAE HAD BEEN EXPLORED WHICH, WHILE ALLOWING FOR THE TERRITORIAL RIGHTS OF GUATEMALA, HAD TAKEN INTO ACCOUNT THE INTERESTS OF THE PEOPLE OF BELIZE, WHERE LEADERS OF THE LOCAL GOVERNMENT AND PARTS OF THE POPULATION WERE SEEKING TO EXERCISE THE RIGHT TO SELF-DETERMINATION. THOSE FORMULAE TOOK ACCOUNT OF ALL THOSE FACTS AND COVERED A RANGE OF POSSIBLE SOLUTIONS, FROM UNCONDITIONAL RESTORATION OF TERRITORY TO SUBMITTING THE ISSUE TO THE INTERNATIONAL COURT OF JUSTICE, TO ARBITRATION OR TO NEW MEDIATION, IN ADDITION TO OTHER PROPOSALS BASED ON FEDERATED, CONFEDERATED OR COMMUNITY ARRANGEMENTS, JOINT DEVELOPMENT AND COMMERCIAL AND CULTURAL INTEGRATION WITH BELIZE.

UNCLASSIFIED

NNN

UNCLASSIFIED

PAGE 01 USUN N 05800 02 OF 02 080831Z

11

ACTION IO-10

INFO OCT-01 ARA-10 EUR-12 ISO-00 CIAE-00 DODE-00 PM-04

H-02 INR-07 L-03 NSAE-00 NSC-05 PA-02 PRS-01 SP-02

SS-15 USIA-15 DHA-02 /091 W

----- 059980

R 080342Z NOV 75

FM USMISSION USUN NY
TO SECSTATE WASHDC 3812
AMEMBASSY LONDON
AMEMBASSY GUATEMALA
AMEMBASSY MEXICO

UNCLAS SECTION 2 OF 2 USUN 5800

THE GOVERNMENT OF GUATEMALA HAS MAINTAINED CLEARLY AND CATEGORICALLY IN THE UNITED NATIONS EVER SINCE ITS FOUNDATION IN SAN FRANCISCO IN 1945, IN CONNEXION WITH THE CHAPTER OF THE CHARTER ON THE INTERNATIONAL TRUSTEESHIP SYSTEM AND IN ALL OTHER PROCEEDINGS OF THE GENERAL ASSEMBLY IN WHICH RULES GOVERNING THE PROCESS OF DECOLONIZATION WERE CREATED, THAT BELIZE IS NOT AND HAS NEVER BEEN A COLONY SUBJECT TO THAT

049:3 9* \$3:9)9,8"-589, -,\$ 5#-5 5#3 -553.05 59 .-(3 85
9 8 -, -553.05 59 ?43-:# 5#3 534485948-) 8,53&4856 9* .6
:97,546 -,\$ 5#343*943 3,5843)6 8,:9.0-58?)3 285# 5#3 07409 3
-,\$ 048,:80)3 9* 5#3 7,853\$,-589, :#-4534, AS IS
VERY CLEARLY ESTABLISHED IN PARAGRAPH 6 OF GENERAL ASSEMBLY RESOLUTION 1514 (XV) OF 14 DECEMBER 1960. SIMILARLY, EVERY STATE, WHETHER ACTING INDIVIDUALLY OR COLLECTIVELY, MUST REFRAIN FROM ANY ACTION AIMED AT THE PARTIAL OR TOTAL DISRUPTION OF THE NATIONAL UNITY AND TERRITORIAL INTEGRITY OF ANOTHER STATE OR COUNTRY (GENERAL ASSEMBLY RESOLUTION 2625 (XXV) OF 24 OCTOBER 1970). SELF-DETERMINATION IS LIMITED BY THE REQUIREMENT THAT IT DOES NOT AUTHORIZE OR PROMOTE IN ANY WAY ACTION DIRECTED AT BREACHING OR UNDERMINING, TOTALLY OR PARTIALLY, THE TERRITORIAL INTEGRITY OF SOVEREIGN AND INDEPENDENT STATES.

UNCLASSIFIED

UNCLASSIFIED

PAGE 02 USUN N 05800 02 OF 02 080831Z

THE DELEGATION OF GUATEMALA HAS BEEN OFFICIALLY NOTIFIED OF THE DRAFT RESOLUTION OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND OTHER COUNTRIES TO THE EFFECT THAT THE FOURTH COMMITTEE AND THEREAFTER THE GENERAL ASSEMBLY SHOULD DECLARE THE RIGHT TO INDEPENDENCE OF BELIZE, WHICH IS PART OF OUR NATIONAL UNITY.

IN THE VIEW OF THE GOVERNMENT OF GUATEMALA, NEITHER THE FOURTH COMMITTEE NOR THE GENERAL ASSEMBLY IS COMPETENT TO TAKE SUCH ACTION, AND THOSE WHO PROPOSE THAT THEY SHOULD MAY CAUSE THE GENERAL ASSEMBLY TO EXERXISE ITS POWER ARBITRARILY BY ACTING IN A MATTER WHICH IS THE SUBJECT OF NEGOTIATIONS BETWEEN THE PARTIES AND THE SOLUTION OF WHICH HAS COMPLEX LEGALAND OTHER IMPLICATIONS THAT CANNOT BE SOLVED BY A POLITICAL DECLARATION OF THE GENERAL ASSEMBLY; FAR FROM PROVIDING A SPEEDY, PEACEFUL AND EFFECTIVE SOLUTION TO THE PROBLEM, THEY WILL

UNDOUBTEDLY CREATE A PERMANENT SOURCE OF DISTURBANCE IN THE
AREA.

ACCORDINGLY, ANY RESOLUTION WHICH THE GENERAL ASSEMBLY MAY
ADOPT IN WHICH IT EXCEEDS THE BOUNDS OF ITS COMPETENCE
OR INTERFERES ILLEGITIMATELY IN THE ONGOING
NORMAL PROCEDURE FOR RESOLVING THE TERRITORIAL DISPUTE BY
THE PEACEFUL MEANS ESTABLISHED IN THE CHARTER WILL BE
NEITHER COMPLIED WITH NOR OBEYED BY MY GOVERNMENT.
MOYNIHAN

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DISPUTES, TEXT, DIPLOMATIC COMMUNICATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 08 NOV 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975USUNN05800
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750389-0132
From: USUN NEW YORK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19751162/aaaacd pj.tel
Line Count: 233
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION IO
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 01 DEC 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <01 DEC 2003 by ThomasVJ>; APPROVED <29 JAN 2004 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: BELIZE DISPUTE: LETTER FROM GUATEMALAN PERMANENT REPRESENTATIVE TO UN SECRETARY GENERAL
TAGS: PFOR, GT, BH, UK, US, UNGA, (WALDHEIM, KURT), (MALDONADO-AGUIRRE)
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006